



Billing Code 4510-27-P

DEPARTMENT OF LABOR

Office of the Secretary

Establishing a Minimum Wage for Contractors, Notice of Rate Change in Effect as of January 1, 2016; Correction

AGENCY: Wage and Hour Division, Department of Labor.

ACTION: Notice; correction.

SUMMARY: On September 16, 2015, the Department of Labor (the Department) published a notice to announce the applicable minimum wage rate to be paid to workers performing work on or in connection with Federal contracts covered by Executive Order 13658 (the Executive Order), beginning January 1, 2016. See 80 FR 55646. The published notice omitted Appendix A and Appendix B. Accordingly, this notice corrects the September 16, 2015 notice by publishing Appendix A and Appendix B. Both documents, along with the original notice, are also available on the Wage and Hour Division (WHD) web site at:

<http://www.dol.gov/whd/flsa/eo13658/>.

FOR FURTHER INFORMATION CONTACT: Robert Waterman, Acting Director, Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of this notice may be obtained in alternative formats (Large Print, Braille, Audio Tape, or Disc), upon request, by calling (202) 693-0023 (not

a toll-free number). TTY/TTD callers may dial toll-free (877) 889-5627 to obtain information or request materials in alternative formats.

SUPPLEMENTARY INFORMATION:

On September 16, 2015, the Department published a notice to announce the applicable minimum wage rate to be paid to workers performing work on or in connection with Federal contracts covered by Executive Order 13658, beginning January 1, 2016. See 80 FR 55646. This Notice of Correction publishes appendices omitted in the prior publication. As indicated in the notice published September 16, 2015, Appendix A to the notice provides a comprehensive chart of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) (United States city average, all items, not seasonally adjusted) data published by the Bureau of Labor Statistics (BLS) that the Department utilized to calculate the new Executive Order minimum wage rate based on the methodology explained therein. Appendix B to the notice sets forth an updated version of the Executive Order 13658 poster that the Department published with its Final Rule implementing the Executive Order, reflecting the updated wage rates that will be in effect beginning January 1, 2016. See 79 FR 60732-33. Pursuant to 29 CFR 10.29, contractors are required to notify all workers performing on or in connection with a covered contract of the applicable minimum wage rate under the Executive Order. Contractors with employees covered by the Fair Labor Standards Act who are performing on or in connection with a covered contract may satisfy the notice requirement by displaying the poster set forth in Appendix B in a prominent or accessible place at the worksite.

Dated: September 21, 2015.

David Weil
Wage and Hour Administrator

Appendix A to Notice: Establishing a Minimum Wage for Contractors, Notice of Rate Change in Effect as of January 1, 2016.

**Data Used to Determine Executive Order 13658 Minimum Wage Rate
Effective January 1, 2016**

Data Source: Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W)
(United States city average, all items, not seasonally adjusted)

	Q3			Q4			Q1			Q2			Annual Average
2013Q3 to 2014Q2	230.084	230.359	230.537	229.735	229.133	229.174	230.040	230.871	232.560	233.443	234.216	234.702	231.238
2014Q3 to 2015Q2	234.525	234.030	234.170	233.229	231.551	229.909	228.294	229.421	231.055	231.520	232.908	233.804	232.035
Annual Percentage Increase													0.345%

Appendix B to Notice:

WORKER RIGHTS UNDER EXECUTIVE ORDER 13658

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE FOR CONTRACTORS

\$10.15

 PER HOUR

EFFECTIVE JANUARY 1, 2016 – DECEMBER 31, 2016

MINIMUM WAGE	On February 12, 2014, the President signed Executive Order 13658, Establishing a Minimum Wage for Contractors. The Executive Order requires that parties who contract with the Federal Government pay workers performing work on or in connection with covered Federal contracts at least: (1) \$10.10 per hour beginning January 1, 2015; and (2) beginning January 1, 2016, and annually thereafter, an inflation adjusted amount determined by the Secretary of Labor in accordance with the Executive Order and appropriate regulations. The Executive Order hourly minimum wage in effect from January 1, 2016 through December 31, 2016 is \$10.15.
TIPS	Covered tipped employees must be paid a cash wage of at least \$5.85 per hour effective January 1, 2016 – December 31, 2016. If a worker's tips combined with the required cash wage of at least \$5.85 per hour paid by the contractor do not equal the hourly minimum wage for contractors (noted above), the contractor must increase the cash wage paid to make up the difference. Certain other conditions must also be met.
ENFORCEMENT	The Wage and Hour Division (WHD) has offices across the country to help. WHD can answer questions, in person or by telephone, about your workplace rights and protections. We can investigate employers and recover wages to which workers may be entitled. All services are free and confidential. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Executive Order. If you are unable to file a complaint in English, WHD will accept the complaint in any language.
ADDITIONAL INFORMATION	<ul style="list-style-type: none">Executive Order 13658 establishes that the Order applies only to new Federal construction and service contracts, as defined by the Secretary in the regulations.Workers with disabilities whose wages are governed by special certificates issued under section 14(c) of the Fair Labor Standards Act must receive no less than the full minimum wage rate as established by the Executive Order.Some workers are excluded. For example, some workers who provide support "in connection with" covered contracts for less than 20 percent of their hours worked in a week may not be entitled to the Executive Order minimum wage. Certain full-time students, learners, and apprentices who are employed under subminimum wage certificates are not entitled to the Executive Order minimum wage. Certain occupations are also exempt from the Executive Order minimum wage.Some state or local laws may provide greater worker protections. Employers need to comply with both.



For additional information:

1-866-487-9243



www.dol.gov/whd/govcontracts

U.S. Department of Labor | Wage and Hour Division

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[FR Doc. 2015-24412 Filed: 9/24/2015 08:45 am; Publication Date: 9/25/2015]